

EXHIBIT 1

Email from Jay M. Wolman
to Richard Goren
Dated Oct. 18, 2017



Trey Rothell <tar@randazza.com>

Re: MONSARRAT v ZAIGER; PRIVILEGED SETTLEMENT DISCUSSION

Jay M. Wolman <jmw@randazza.com>

Wed, Oct 18, 2017 at 12:21 PM

To: "rgoren@richardgorenlaw.com" <rgoren@richardgorenlaw.com>

Cc: Marc Randazza <mjr@randazza.com>, Trey Rothell <tar@randazza.com>

Dear Mr. Goren,

I am unclear as to the basis for your claim that the banner advertisement contains child pornography. All of the women in the banner advertisement appear of age to me. Certainly, if you truly believed it was unlawful, you should not have distributed it to us. And, per the 2257 disclosure of the alleged advertiser, they are all over 18.

See [domainname].com/en/about/record-keeping-requirements Please note that I'm omitting the domain name so that this e-mail does not get caught in your spam filter.

However, I have no interest in wasting time on the issue. You may blur faces and redact genitalia if you so desire. Certainly the remainder of the documents are inappropriate for sealing. The public has a common law and First Amendment right of access to judicial documents. In fact, those documents are central to your claims and our defenses.

Your highlighting of these documents, though, gives us pause. You have alleged that the publication of Exhibits C and D constitutes infringement. By your own admission, they are from October 2012 and May 11, 2013, more than three years before you filed suit. Your case is and always has been time-barred, and you are now specifically making documents part of your complaint that prove it is time barred. 17 U.S.C. 507(b) Under the discovery rule, your cause of action was known to be more than 3 years old at the time you filed the case.

I must invite you to withdraw your claims. Else, your continued prosecution subjects you to sanction under rule 11.

Thank you for your attention to this matter.

Sincerely,
Jay Wolman

Jay Marshall Wolman, CIPP/US, Counsel***Randazza Legal Group, PLLC**

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* Licensed to practice law in Connecticut, Massachusetts, New York and the District of Columbia.

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